

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	
)	
v.)	
)	18 CR 693(RMB)
)	
RAMSES OWENS, DIRK BRAUER,)	
RICHARD GAFFEY, HARALD)	
JOACHIM VON DER GOLTZ,)	
)	
Defendants.)	
)	

DEFENDANT RAMSES OWENS' STATUS REPORT

On May 30, 2019, the Defendant, Ramses Owens, filed a motion to exclude evidence obtained by the U.S. Attorney's Office for the Southern District of New York from the government of the Republic of Panama via the U.S. – Panama Mutual Assistance in Criminal Matters Treaty (Document 95). The Defendant, Attorney Ramses Owens, through his undersigned counsel, provides the following status report regarding the events associated with the previously mentioned motion that occurred after filing:

- 1) On May 6, 2019, the Deputy Prosecutor, Marcos T. Mosquera Del La G., of the Second Prosecutor's Office Against Organized Crime of the Republic of Panama as per a request from the U.S. Attorney's Office for the Southern District of New

York filed petitioned with the Court of Guarantees of the First Judicial Circuit of Panama for permission to search and collect the data stored in a SAMSUNG mobile device, model SM-G950FD, IMEI No. 359623087229361 and 359624087229369, allegedly seized from and owned by Attorney Ramses Genaro Owens Saad to provide the United States a copy of the data collected. (Reference Exhibit A)

- 2) On May 6, 2019, the Honorable Judge Jose Sanchez Gallego of the First Judicial Circuit of Panama grants the petition filed by Deputy Prosecutor, Marcos T. Mosquera Del La G. and authorizes the collection of the data from the SAMSUNG mobile device mentioned supra. (Reference Exhibit B)
- 3) As per a request from of the U.S. Attorney's Office for the Southern District of New York, the Prosecutor Isis Del Carmen Soto of the Second Specialized Prosecutor's Office Against Organized Crime on or about March 12, 2019, via a Resolution, instructed a Panamanian Bank to seize and surrender the funds of six (6) bank accounts associated with Revack Holdings Foundation to the Ministry of Economy and Finance of the Republic of Panama. The funds seized were at the disposal of the United States.
- 4) On April 4, 2019, the Prosecutor, Isis Del Carmen Soto of the Second Specialized Prosecutor's Office Against Organized Crime, petitioned the Court of Guarantees of the First Judicial Circuit of Panama to ratify and authorize the seizure of the funds stated above because under Panamanian law a prosecutor has the authority to provisionally seize assets. Pursuant Article 258 of the Code of Criminal

Procedure of the Republic of Panama, a hearing must occur within 10 days of an asset seizure. After conducting a hearing on the matter, the Honorable Judge Marisol Ortiz of the First Judicial Circuit of Panama, granted the petition made by the Prosecutor, Isis Del Carmen Soto, on April 4, 2019. (Reference Exhibit C)

- 5) On August 30, 2019, the Honorable Judge Ruth Aizpu of the First Judicial Circuit of Panama conducted a hearing to review the petitions filed by the Second Specialized Prosecutor's Office Against Organized Crime as requested by U.S. Attorney's Office for the Southern District of New York. (Reference Exhibit D)
- 6) Judge Ruth Aizpu via an oral decision declared that the petition to search and collect data stored in a SAMSUNG mobile device, allegedly belonging to Attorney Ramses Owens, was lawful because his due process rights were not violated. In contrast, Judge Ruth Aizpu, declared that the seizure of the funds in the bank accounts violated due process because neither the legal entity Revack Holdings Foundation nor its legal representative were notified of the hearing that occurred on April 4th, 2019. Instead of notifying Revack Holdings Foundation, a public defender was assigned to supposedly protect the interest of the entity.
- 7) The legal representative of Revack Holdings Foundation requested certified transcripts of the hearing that occurred on August 30, 2019 before Judge Ruth Aizpu. The certified transcripts are still pending. (Reference Exhibit E)
- 8) As a result of the decision rendered by Judge Ruth Aizpu, the seizure of the funds was lifted.

- 9) Upon the Court's request, the undersigned counsel can provide the audio of each of the hearings mentioned above.

Dated: October 24, 2019

Respectfully submitted,

/s/ Charlie Carrillo
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CERTIFICATE OF FILING AND SERVICE

I, Charlie Carrillo, hereby certify that on October 24, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notice of such filing to all the registered CM/ECF users.

/s/ Charlie E. Carrillo

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